

Message Text

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PAGE 01 LONDON 00012 021227Z

11

ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

 DOTE-00 INR-07 NSAE-00 FAA-00 L-03 /032 W

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R 021222Z JAN 76

FM AMEMBASSY LONDON

TO SECSTATE WASHDC 7764

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E.O. 11652: L/A

TAGS: EAIR, UK

SUBJECT: CIVAIR - TRANSATLANTIC CHARTERS

REF: LONDON 19529

1. BROWN, DEPT. OF TRADE, RECENTLY EXPLAINED TO US IN SOMEWHAT GREATER DETAIL THAN WE HAVE HAD IN THE PAST WHAT UK HAS IN MIND RE UPLIFT RATIO PROBLEM. BROWN WAS DIFFICULT TO FOLLOW IN HIS EXPLANATION BUT WE UNDERSTOOD HIM TO BE SAYING THAT UKG WOULD REGARD BILATERAL CHARTER AGREEMENT AS CONSTITUTING, IN EFFECT, AN EXCHANGE OF TRAFFIC RIGHTS AND NEITHER PARTY WOULD THEN IMPOSE CAPACITY CONTROLS OF ANY NATURE ON CHARTER OPERATIONS. (CONSIDERED IN THIS CONTEXT, THE UPLIFT RATIO WOULD BE REGARDED AS A FORM OF CAPACITY CONTROL BASED ON THE ORIGIN OF THE TRAFFIC.) IF ONE SIDE DISAPPROVED A CHARTER APPLICATION FOR WHAT APPEARED TO BE A QUALIFIED FLIGHT OR PROGRAM OF FLIGHTS AND IT COULD NOT JUSTIFY ITS ACTION TO SATISFACTION OF THE OTHER PARTY, THE DISAPPROVAL WOULD EITHER VOID THE ENTIRE AGREEMENT OR FREE THE OTHER PARTY TO TAKE RETALIATORY ACTION DEEMED APPROPRIATE.

2. WE COULD NOT DRAW OUT BROWN FURTHER ON THIS POINT BECAUSE CLEARLY UKG REGARDS THIS AS A MATTER TO BE NEGOTIATED, BUT IF WE UNDERSTOOD BROWN CORRECTLY UPLIFT
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PAGE 02 LONDON 00012 021227Z

RATION PROBLEM MIGHT BE OVERCOME BY INCLUDING IN AGREE-

MENT A PROVISION THAT WOULD SPECIFY CONSEQUENCES IF ONE
PARTY IMPOSED CAPACITY CONTROL BUT WHICH WOULD NOT GO SO
FAR AS TO BAR CAPACITY CONTROLS IF PARTY IMPOSING CON-
TROL PREPARED TO ACCEPT THOSE CONSEQUENCES.

SPIERS

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Message Attributes

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Disposition Authority: morefirh
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